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6/23/2022

June 21, 2022

By: ECF
Chief Judge Colleen McMahon
United States District Court
Southern District of New York
United States District Courthouse
500 Pearl Street
New York, New York 10007

Re: Building Service 32BJ Pension Fund
v.
River Tower Owner, LLC
Docket Number 22-CV-1195 (CM)(SLC)

Dear Chief Judge McMahon,

The undersigned is counsel for the plaintiff, Building Service 232BJ Pension Fund ("Fund"), in the above captioned matter. This letter is submitted as a joint request by Fund and defendant, River Tower Owner, LLC ("River"), for an adjournment of the initial pretrial conference currently scheduled for July 7, 2022, at 11:45 am. This is a first request for an adjournment. The reason for the joint request is as follows.

River filed its answer on June 15, 2022. River intends to commence a third-party action for indemnification. Pursuant to FRCP 14(a)(1) leave of court is not needed if the third party action is commenced within 14 days of the filing of River's answer. In order to include the third-party defendant in the initial pretrial conference, the parties request that the conference be adjourned to a date approximately 45 days from now. Such should provide River sufficient time to file and serve the papers on the third-party defendant and for third-party defendant to appear.

July
Conference
cancelled
September
conference will
be scheduled
on 9/8/2022 @ 10:30 am

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Ira A. Sturm', with a stylized, sweeping flourish at the end.

Ira A. Sturm

cc: Gary Fellner (By: ECF)